

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

MEDIOSTREAM, INC.,	§	
	§	
Plaintiff,	§	Case No. 3:11-cv-02525-RS
	§	
v.	§	[PROPOSED] ORDER AND
	§	STIPULATION OF DISMISSAL
	§	
MICROSOFT CORP., ET AL.,	§	Judge Richard Seeborg
	§	
Defendants.	§	
	§	

IT IS HEREBY STIPULATED, by and among Plaintiff MedioStream, Inc. and Defendants Acer America Corp. and Gateway, Inc. (collectively the “Parties”) through their counsel of record and subject to the approval of the Court that:

1. All claims presented by MedioStream, Inc. in this litigation are dismissed with prejudice as to Acer America Corp. and Gateway, Inc.;
2. All counterclaims presented by Acer America Corp. and Gateway, Inc. in this litigation against MedioStream, Inc. are dismissed without prejudice; and
3. The Parties shall bear their own costs and attorneys’ fees.

Dated: July 29, 2013

/s/ Henry C. Bunsow

Henry C. Bunsow (State Bar No. 060707)
Bunsow De Mory Smith & Allison LLP
55 Francisco Street, Suite 600
San Francisco, CA 94133
Tel: (415) 426-4747
Fax: (415) 426-4744
Email: hbunsow@bdiplaw.com

Byron Cooper (State Bar No. 166578)
530 Lytton Avenue, Suite 200
Palo Alto, CA 94301
Tel: (650) 283-4244
Fax: (650) 617-3201
Email: bcooper@teklaw.co

S. Calvin Capshaw (pro hac vice)
Elizabeth L. DeRieux (pro hac vice)
CAPSHAW DeRIEUX, LLP
114 E. Commerce Ave.
Gladewater, TX 75647
Tel: (903) 236-9800
Fax: (903) 236-8787
Email: ccapshaw@capshawlaw.com
Email: ederieux@capshawlaw.com

Counsel for Plaintiff MedioStream, Inc.

IT IS SO ORDERED:

Dated: 7/29/13



Hon. Richard Seeborg
United States District Judge